

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

UNITED FINANCIAL CASUALTY COMPANY,

PLAINTIFF

CIVIL ACTION NO.: 5:10-cv-00118
IRENE C. BERGER, JUDGE

v.

JOSHUA NEWSOM, FAC TRUCKING COMPANY,
EDWARD CLINE, WOODROW CLINE, W E TRUCKING,
EDWARD CLINE, JR, FRANCES CLINE AND
MICHAEL CLINE,

DEFENDANTS

STIPULATION AND ORDER OF DISMISSAL

This day came the plaintiff, by counsel, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, and announced unto the court that – in light of the compromise and settlement of Cause Number CV-09001553, in the District Court of Liberty County, Texas – it no longer desires to continue with the prosecution of its Complaint for Declaratory Judgment. Thereupon the plaintiff moved the court to dismiss its Complaint for Declaratory Judgment and to dismiss this action, with prejudice.

The court finds that the motion is well taken. Therefore, it is hereby ORDERED that the motion of the plaintiff, pursuant to Rule of Civil Procedure 41(a)(2) be, and the same is, hereby granted. It is further ORDERED that the Complaint for Declaratory Judgment and this action be, and is hereby, dismissed with prejudice, and removed from the docket of the court.

ENTER this 14th day of February, 2011.



IRENE C. BERGER

UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF WEST VIRGINIA

Prepared by:

s/ W. Joseph Bronosky

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